

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GREGORY P. BARTUNEK,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

8:18CV440

**MEMORANDUM
AND ORDER**

This matter is before me on Petitioner's motion to reconsider ([filing no. 17](#)) the denial of his motion to proceed in forma pauperis. On September 27, 2018, I denied Petitioner's request for leave to proceed in forma pauperis as moot because the filing fee had been paid on Petitioner's behalf. ([Filing No. 6.](#)) Petitioner argues that he should have been allowed to proceed IFP despite his son's payment of the \$5.00 filing fee "because he does not have the resources to pay for other costs that may be occurred [sic] in this case, such as copies of court documents and transcripts, costs of discovery, and other such costs necessary to support his writ of habeas corpus." ([Filing No. 17 at CM/ECF pp. 1–2.](#))

I dismissed this matter without prejudice on January 8, 2019. ([Filing No. 13](#); [Filing No. 14.](#)) Accordingly, this matter is closed and there is no need to reconsider Petitioner's IFP status. If Petitioner wishes to appeal the dismissal of his § 2241 habeas petition, he may file a notice of appeal and seek leave to proceed IFP on appeal.

IT IS THEREFORE ORDERED that Petitioner's motion to reconsider ([filing no. 17](#)) is denied as moot.

Dated this 17th day of January, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge